

AGENDA
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – APRIL 1, 2015 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD
PLEASE SILENCE ALL ELECTRONIC DEVICES DURING MEETING
THANK YOU.

(The Town of Edgewood Council is pleased to have residents of the community take time to attend Council Meetings. Attendance and participation is encouraged. Individuals wishing to be heard during Public Hearing proceedings are encouraged to be prepared. Public comments may not be disruptive or harassing, and all persons are expected to maintain respect and decorum. Accordingly, rude, slanderous, or abusive comments and/or boisterous behavior will not be permitted. Written comments are welcomed and should be given to the Clerk-Treasurer prior to the start of the meeting).

- **CALL TO ORDER.**
- **PLEDGE OF ALLEGIANCE.**

1. APPROVAL OF AGENDA.

2. APPROVAL OF CONSENT AGENDA.

- A. Approval of the Draft Regular Council Meeting Minutes of March 4, 2015.
- B. Approval of the Regular Council Meeting Minutes of March 18, 2015.
- C. Acknowledge Receipt of the Draft Planning & Zoning Commission Meeting Minutes of March 17, 2015.

3. MATTERS FROM THE MAYOR.

- A. Introduction of Animal Control Advisory Board Members.
Ms. Celia Cook, Ms. Faye Niesen, Ms. Annette Dodge.
- B. Proclamation – Volunteer Appreciation Week – April 12 – April 18, 2015.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

- A. Discussion of the “Public Comment Section” of Meeting Agendas –
Councilor Simmons.

5. MATTERS FROM THE ATTORNEY.

6. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.
(Note: If you plan to testify under Public Hearings, please do not sign up for this topic).

7. CALL FOR PUBLIC HEARING. (This request has been withdrawn by the applicant)

- A. Zone Change: Markley Enterprises, LLC, requesting (S-U) Special Use or Multi Zoning of R-3 Residential/Institutional and M-U Mixed-Use for 3.6 acres located at 102 Quail Trail Road, Tract 1-A-1 Lands of Markley Enterprises, LLC, within Section 27 T10N R7E NMPM.

8. CALL FOR PUBLIC HEARING.

- A. Public Hearing to Adopt Proposed Ordinance No. 2015-03; An Ordinance Governing the Collection, Treatment, and Disposal of Wastewater Within the Town; Providing for Procedures and Policies for Obtaining Wastewater Service from the

Town; Providing for the Authority of the Town and Providing for Fees and Penalties. Repealing Ordinance No. 2010-01 An Ordinance Providing for Connection to Wastewater Facilities of the Edgewood Sewer District; and Ordinance No. 2010-02. An Ordinance Governing the Wastewater and Sewage Disposal.

9. PUBLIC HEARING.

Quasi Judicial Procedure: Certification that Public Notice of this Meeting has been posted as required: (Continued from the Council Meeting of March 4, 2015).

This case is being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and the swearing in of all parties giving testimony. The affected parties will have the right to cross-examine persons giving testimony.

Confirmation of no conflict of interest or ex-parte communication.

A. Amendment/Corrections to the Town of Edgewood Official Zone Map.

10. APPROVAL OF 2006 FORD EXPEDITION TO SANTA FE COUNTY FIRE DEPARTMENT – Chief Radosevich.

11. RESOLUTIONS.

- A. Resolution No. 2015-05. A Resolution for the submittal of a 2015 Water Trust Board Application for a wastewater re-use project.
- B. Resolution No. 2015-06. A Resolution regarding Asset Management, as required for the 2015 Water Trust Board application for the wastewater re-use project.

12. MATTERS FROM THE ADMINISTRATOR.

13. ANNOUNCEMENTS and/or CALENDAR REVIEW.

- A. 2015 District Meeting – April 8, 2015 @ 10:00 A.M. Albuquerque Marriott Uptown.
- B. Budget Workshop – April 11, 2015 @ 10:00 A.M.
- C. Regular Council Meeting – April 15, 2015 @ 6:30 P.M.
- D. Regular Council Meeting – May 6, 2015 @ 6:30 P.M.
- E. Regular Council Meeting – May 20, 2015 @ 6:30 P.M.

14. FUTURE AGENDA ITEMS.

15. ADJOURN.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Clerk at the Town Offices located at 1911 Historic Route 66, at least five (5) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Town Clerk at (505)286-4518, or by e-mail at clerk@edgewood-nm.gov if a summary or other type of accessible format is needed. The complete council packet may be viewed on the web, visit www.edgewood-nm.gov click on Agendas, Meetings & Minutes.

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – MARCH 4, 2016 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

- **CALL TO ORDER.**

Mayor Hill called the meeting to order at 6:30 p.m.

Councilors present were John Abrams, Sherry Abraham, and Chuck Ring.

Also present were Steve Shepherd, Town Administrator, Vanessa Chavez, Town Attorney, Estefanie Muller, CMC, Clerk Treasurer, Tracy Sweat, Planning Assistant and Bonnie Pettee, Town Secretary.

- **PLEDGE OF ALLEGIANCE.**

- 1. **APPROVAL OF AGENDA.**

Mayor Hill stated Item 11, Status of Budget, would not be discussed at tonight's meeting; instead there would be a brief update.

MOTION: Councilor Abrams made a motion to approve the agenda, with the exception of Item 11. Councilor Abraham seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Abrams voted aye. The motion carried.

- 2. **APPROVAL OF CONSENT AGENDA.**

A. Approval of the Regular Council Meeting Minutes of February 18, 2015.

B. Approval of the Special Council Meeting Minutes of February 23, 2015.

MOTION: Councilor Abrams made a motion to approve the Consent Agenda as presented. Councilor Abraham seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Abrams voted aye. The motion carried.

- 3. **MATTERS FROM THE MAYOR.**

Mayor Hill stated the County Assessor will be back at the Edgewood Senior Center on April 14th. He commented that he and Councilor Abraham and staff attended the New Mexico Municipal League Legislature Day in Santa Fe. He added it was a constructive meeting.

Mayor Hill commended the road crew for their great job of clearing all the roads during the snow storm last weekend. He acknowledged Ms. Pettee for completing her probationary period with the Town of Edgewood. He noted that she is working with Planning & Zoning and the Town website, and has recently agreed to become a certified

FEMA Manager. Mayor Hill also commended Mr. Shepherd for passing his certification as Procurement Officer per State Statute and the Department of Finance & Administration.

Councilor Simmons was present at this time.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Abrams stated the Town should get started on the trail construction. With all the mud, they are currently in rough shape. He would also like to see the Town pursue an IT person on staff. With the budget coming up, this would help the Police Department maintain custody records. He requested that a link be added to the website which would provide the wind generator production stats.

Councilor Simmons commented that she would also appreciate attention to the trails.

Councilor Abraham spoke regarding the Municipal League Day. She enjoyed the day and felt it was informative and productive. She added that she would like to see a Code Enforcement Officer position added to this year's budget.

Councilor Ring stated he would like to see training for the Town of Edgewood staff and Councilors on the Personnel Ordinance.

5. MATTERS FROM THE ATTORNEY.

Attorney Chavez had nothing to report.

6. MATTERS FROM THE MUNICIPAL JUDGE.

A. Judge White will present his report for the month of March, 2015.

Judge White presented his report and ask for questions.

He expressed his appreciation to the reporter for the Ortiz article. He added that they are working to correct the situation. He commented on the Court Clerk, Ms. Smith's helpfulness to the public. He concluded by stating that he and Chief Radosevich attended the Municipal League Director's meeting.

MOTION: Councilor Abrams made the motion to approve the Judge's Report for the month of February, 2015. Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

7. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.

Mr. Joe Campbell, a local attorney, served summons for a Tort Claim to the Mayor and Council against the Edgewood Police Department. Mr. Campbell stated that this will be the fourth claim for deprivation of rights. He stated the problems with the Police Department have not been addressed. He demanded that they be fixed.

Mayor Hill replied that everyone has the right to sue and that "we" all work and live under the same system. He added that he felt the Town of Edgewood is operating appropriately. If the Town should be found in fault by the courts, then the Town would fix the problem.

Mr. John Bassett spoke regarding the new changes to the Subdivision Ordinance. He stated he had an issue with the written version of the newly adopted Ordinance, Section 8, Minor Subdivisions was not reflective of what was read and voted on. He explained what was read into the record was not what appeared in the final version. Mayor Hill replied that he would ask Staff and Legal Counsel to review this possible oversight.

Mr. Ralph Hill suggested the Town build a 60' Round Pen for the community to train their horses. It would be a great addition to the Equestrian Center. He added that it could also be used by overnight campers to hold their horses. He estimated the cost would be approximately \$1000.

Mayor Hill replied that the Equestrian Center was opened by Santa Fe County. The Town would need to check with them first; possibly share the costs.

8. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required: (Continued from the Council Meeting of February 18, 2015).

Estefanie Muller, Town Clerk, certified that the Public Notice was posted as required.

A. Amendment to Town of Edgewood Wastewater Ordinance No. 2010-01.

Mayor Hill explained that this Public Hearing is a continuation of the February 18, 2015.

He introduced Tappan Mahoney from Dennis Engineering.

Mr. Mahoney recapped the purpose for this Resolution is to make changes to the connection fees and establish new rates for wastewater usage. The current ordinance conflicts with procedures between the administration staff and the wastewater staff.

Mayor Hill stated there would be further review at the next two meetings and would adopt the final resolution on April 1, 2015. He asked the Council for a consensus as to whether this Ordinance should be re written or repealed, and started over.

MOTION: Councilor Simmons made a motion to close the Public Hearing.
Councilor Abraham seconded the motion.

Mr. Bassett inquired about the Wastewater District.

Councilor Ring favored to repeal the ordinance and re write it.

Councilor Simmons favored to repeal the ordinance and re write it.

Councilor Abraham favored to repeal the ordinance and re write it.

Councilor Abrams favored to repeal the ordinance and re write it.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

The agenda for the March 18, 2015 meeting will call for a Public Hearing.

9. PUBLIC HEARING.

Quasi Judicial Procedure: Certification that Public Notice of this Meeting has been posted as required: (Continued from the Council Meeting of February 18, 2015).
Estefanie Muller, Town Clerk, certified that the Public Notice was posted as required.

This case is being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and the swearing in of all parties giving testimony. The affected parties will have the right to cross-examine persons giving testimony.

Confirmation of no conflict of interest or ex-parte communication.

Mayor Hill recused himself as he has worked with the staff regarding this issue.
Councilor Ring as Mayor Pro-Tem assumed the Chair of the meeting.

Councilor Abrams confirmed that he had no conflict of interest or ex-parte communication.

Councilor Simmons confirmed that she had no conflict of interest or ex-parte communication.

Councilor Abraham confirmed that she had no conflict of interest or ex-parte communication.

Councilor Ring confirmed that he had no conflict of interest or ex-parte communication.

A. Amendment/Corrections to the Town of Edgewood Official Zone Map.

Tracy Sweat, Steve Shepherd, Mayor Hill, Mr. John Bassett & Ms. Diane Stearley were sworn in.

Mayor Hill recapped and stated at last meeting the procedure was discussed. The staff had researched records thoroughly to verify their accuracy. He explained that the properties to be corrected were divided into 3 categories: those that had approval by the Planning & Zoning Commission, but not Council, those that had completed the process and approved but not reflected on the map and those that just needed to be corrected.

Councilor Ring asked if the affected property owners had been notified.

Mayor Hill replied that they had not because they weren't making changes, only corrections based on previous actions.

Mr. Bassett stated that he disagreed with the conclusions and their decision not to notify property owners.

Attorney Chavez explained that they were originally notified when the request was made. This is only to make corrections to the map.

Mayor Hill explained because of the history of some of these zoning changes, "we" are trying to be as accommodating as possible.

After a brief discussion the Council decided to hear each property by category and case separately.

Mr. Bassett requested that #3 property be removed from the changes. He is currently satisfied with the zoning reflected on the map and remain in the County. The property was annexed, just not reflected on the map correctly.

Mayor Hill asked Mr. Bassett if he remembered the application to request annexation.

Mr. Bassett replied yes.

MOTION: Councilor Abraham made a motion to make the corrections to the zoning map to reflect approved record for properties 1, 2, 3, 4, 5, 6 & 7. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams abstained. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

The second group of properties were those not completed through Council. A discussion followed and after a brief recess to confer with legal Counsel, it was decided to table these 3 properties until the property owner were notified.

MOTION: Councilor Abrams made a motion to table properties 8, 9, & 10, to notify land owners and complete the process through Council. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

The third category contain various corrections; parcels 11, 12, & 13.

Steve Shepherd explained that parcel 11 needs map correction to reflect the record which does not include it within the Town of Edgewood.

MOTION: Councilor Simmons made a motion to exclude the parcel from annexation and correct the map for consistency. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

The zoning for Parcel #12 is not correctly identified on the map and the records are unclear as to the proper zoning.

Councilor Abrams recommended that this parcel be tabled until further review. He suggested possibly construction records could be checked for zoning at that time.

MOTION: Councilor Abrams made a motion to table parcel #12 until further review. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

Tracy Sweat explained that parcel #13 needs to be zoned commercial to reflect consistency and its historical use.

MOTION: Councilor Simmons made a motion to approve this correction to the zoning map to reflect how it has been taxed historically. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

The last three parcels 14, 15, & 16 are informational. The map should be adjusted to reflect record.

MOTION: Councilor Abrams made a motion to continue this Public Hearing to the April 1, 2015 Council meeting. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

Mayor Hill resumed the meeting and again commended Ms. Sweat for her great work putting all this together.

Ms. Muller stated the final Ordinance will be brought forward with all documentation attached.

10. RESOLUTIONS.

A. Resolution No. 2015-02. A Resolution Adopting a Fee Schedule for Wastewater Connections.

MOTION: Councilor Abrams motioned to table Ordinance 2015-02, A Resolution Adopting a Fee Schedule for Wastewater Connections, pending new Ordinance. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

B. Resolution No. 2015-03. A Resolution Authorizing the Submittal of an Application for the 2015-2016 New Mexico Department of Transportation Municipal Arterial Program Funds (MAP) for Street and Drainage Improvements within Edgewood, New Mexico.

Steve Shepherd explained that this resolution supports the Town's application for assistance on the Entrada Del Norte project.

MOTION: Councilor Abrams made a motion to approve Resolution 2015-03, A Resolution Authorizing the Submittal of an Application for the 2015-2016 New Mexico Department of Transportation Municipal Arterial Program Funds (MAP) for Street and Drainage Improvements within Edgewood, New Mexico. Councilor Ring seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

11. MATTERS FROM THE ADMINISTRATOR.

A. Town of Edgewood Special Use Permit Application (AT&T Edgewood N881)
Proposed Modifications to this existing site at 1791 Old Hwy 66 #3.
Mr. Shepherd stated that a Special use Permit has come forward from Mel Patterson, Consultant for cell towers. AT& T would like to make some changes to the existing tower and add updated equipment.

MOTION: Councilor Ring made a motion to approve the application for Special Use Permit subject with the three conditions listed. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

B. Discussion of Administrative Review and Application for Eligible Facilities.
Mr. Shepherd explained that it was recommended that our Cell Tower Ordinance be amended to allow for changes not requiring a Public Hearing, which could be approved by the Administration. A Public Hearing will be scheduled for these requested amendments in the future.

MOTION: Councilor Simmons made a motion to approve Administrative review per consultant. Councilor Ring seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

C. Update on GRTs

Mr. Shepherd stated he has reviewed the GRTs. He continued saying the revenues for 2011, 2012 & 2103 GRTs increased. However, 2014 GRTs saw a decrease. His projection for 2015 GRTs will be another decrease. He will continue to monitor each month. For now, the Town will hold off on larger purchases until the end of the fiscal year. He added a Budget Resolution will be brought to Council next meeting.

12. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting – March 18, 2015 @ 6:30 P.M.

B. Regular Council Meeting – April 1, 2015 @ 6:30 P.M.

13. FUTURE AGENDA ITEMS.

A. Schedule 2015-16 Budget Preparation Meetings.

B. Public Hearing for the Wastewater Ordinances 2010-02 & 2010-02

C. Public Hearing for the revision to the Cell Tower Ordinance.

14. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1 (H)(2) the following will be discussed in Closed Session.

- Limited Personnel Matters

MOTION: Councilor Abraham made a motion to go into Closed Session. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

MOTION: Councilor Abrams made a motion to go back into Open Session. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

Councilor Abrams affirmed only Limited Personnel matters were discussed and no decision was made.

Councilor Simmons affirmed only Limited Personnel matters were discussed and no decision was made.

Councilor Abraham affirmed only Limited Personnel matters were discussed and no decision was made.

Councilor Ring affirmed only Limited Personnel matters were discussed and no decision was made.

Mayor Hill affirmed only Limited Personnel matters were discussed and no decision was made.

15. ADJOURN.

MOTION: Councilor Simmons made the motion to adjourn the meeting for March 4, 2015. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye. The motion carried.

Mayor Hill adjourned the meeting at 9:05 pm.

PASSED, APPROVED and ADOPTED this 18th day of MARCH, 2015.

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – MARCH 18, 2015 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

• **CALL TO ORDER.**

Mayor Hill called the meeting to order at 6:30 pm

Councilors present were: Councilor Ring, Councilor Simmons, Councilor Abraham & Councilor Abrams. Also present were: Steve Shepherd, Town Administrator, Attorney Vanessa Chavez, Estefanie Muller, CMC, Clerk-Treasurer and Bonnie Pettee, Town Secretary.

• **PLEDGE OF ALLEGIANCE.**

1. **APPROVAL OF AGENDA.**

Mayor Hill explained that Item #9 on the agenda; Zone Change for Markley Enterprises, LLC, will not be heard because it was tabled at the Planning & Zoning Commission.

MOTION: Councilor Abrams made a motion to approve the agenda, omitting Item #9. Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Motion carried.

2. **APPROVAL OF CONSENT AGENDA.**

A. Approval of the Draft Regular Council Meeting Minutes of March 4, 2015.

B. Acknowledge Receipt of the Draft Planning & Zoning Commission Meeting Minutes for March 3, 2015.

C. Acknowledge Receipt of the Draft Library Board Meeting Minutes and Library Report for the month of February, 2015.

D. Acknowledge Receipt of Animal Advisory Board for February 3, 2015.

MOTION: Councilor Abrams made a motion to approve the Consent Agenda, Items B, C, & D. Councilor Abraham seconded the motion.

Councilor Abrams explained he did not include the Draft of the March 4, 2015 Council Minutes in his motion because he did not think there was enough detail to the Public Comments from John Bassett.

Mayor Hill replied that he would ask the staff to review the minutes and add more of the dialog.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Motion carried.

3. **MATTERS FROM THE MAYOR.**

A. Appointment of Animal Advisory Board Members.

Ms. Celia Cook, Ms. Faye Niesen and Ms. Annette Dodge.

____ Initials

Mayor Hill stated that there has been a recent need for volunteer staff to the Animal Welfare Advisory Board. Tonight he is pleased to announce that there has been three residents of Edgewood that have expressed interest in serving in the community in this capacity. He recommended approval of Ms. Celia Cook, Ms. Faye Niesen and Ms. Annette Dodge to the Animal Welfare Advisory Board. They will attend the next meeting for introductions.

MOTION: Councilor Abraham made a motion to approve and accept Ms. Celia Cook, Ms. Faye Niesen and Ms. Annette Dodge to the Animal Welfare Advisory Board. Councilor Ring seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Motion carried.

B. Update on Rainbow Road, Walker Road and Horton Road.

Mayor Hill stated the Rainbow Road project was moving along on schedule. They will soon be laying pavement. He commented that there have been some issues with the utilities during construction, but in the end, the benefit will outweigh the inconvenience. Mayor Hill spoke about the Walker Road project, stating that it is still in the engineering and planning stages. With regards to Horton Road, it has been problematic; however, the easements have been acquired.

Mayor Hill stated that the new Denny's will be opening the second week of April, but they will hold off on their Official Ribbon Cutting Ceremony until May. Denny's will be open 24/7 and will hire 110 people.

Mayor Hill spoke regarding requirements of the State Statute for recording the minutes of each public meeting. According, minimum written minutes is allowed and the information required is date, time, place, those in attendance, the proposal presented and the decisions made, along with a roll call vote. Mayor Hill stated that the Town is meeting those requirements.

Councilor Ring commented that he was in agreement with the current method of completing the minutes. If people want to get the information "verbatim", they can listen to the recording.

Councilor Simmons asked how long the recordings are archived.

Ms. Muller replied that they have never removed any from the website since the onset. The actual recording is deleted and the disc is used again.

Councilor Abrams stated that since there are no recordings prior to the website, the written documents is the official record. He added that the website is not a good place to store the recordings because it is not under our control. The Town needs to consider another place.

Councilor Ring suggested possibly a thumb drive could be used as an alternate for storage.

Mayor Hill replied that this was a reasonable request and we will check into it.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

A. Personnel Ordinance Training and Amendments – Councilor Chuck Ring.
Councilor Ring requested that staff and Councilors receive training on the Personnel Ordinance. He stated that we all have a part to play in making sure the procedures are

carried out appropriately.

Mayor Hill stated that he will start discussions soon and will have training lined up in the near future. He felt that Legal Counsel should train the Supervisors and Supervisors train their staff. He would also include training on the Code of Conduct.

Councilor Abraham scheduled a tour of the Edgewood Elementary school kitchen for group called the Mixing Bowl. They are looking for a location for a Community kitchen. The school kitchen would be a possibility.

Councilor Abrams stated he attended the Health Planning Commission meeting for First Choice. He noted that a substance abuse program is being offered, and Santa Fe County ranks high in this area. He was able to tour the facility in the South Valley and commented if this is a model of what is planned on building in Edgewood, it would be a jewel to the community.

Mayor Hill commented on the grant request to partner with them. A proposal of capital and potential money for a match will be presented at the Council Meeting on April 1, 2015.

Councilor Abrams asked about the need to move forward with two Resolutions for road improvements and road standards. He suggested the standards used for the Master Plan in Section 16 would be a good example to start with. Edgewood should have walkways with new paved streets.

5. MATTERS FROM THE ATTORNEY.

Attorney Chavez had no topics for discussion.

6. TOWN OF EDGEWOOD POLICE REPORT – Chief Radosevich.

A. Police Report and Animal Control Report for the month of February, 2015.

Chief Radosevich presented his report and asked for questions.

He spoke about the Officer Training programs and presented a roster of each officer and the training they have completed. He added the Animal control officers will be included in the Active Shooter Training, as they may need to be involved at some point.

Chief Radosevich commented on the repaving of I-40 and that Edgewood Officers would be helping with the traffic flow.

7. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.

Mr. John Bassett addressed the Council, Mayor and Staff. He inquired about his conversation at the last meeting with regards to the Subdivision Ordinance and the suggested verbiage.

Mayor Hill stated there must be some confusion regarding the verbiage. The Ordinance was approved correctly, and the wording is the same as Mr. Bassett recommended. He suggested the two of them may need to sit down to discuss this further.

Mr. Bassett asked for clarification on which Zoning Ordinance is enforced. He explained that the recently amended and approved Zoning Ordinance reflected that R-3 zoning allowed for 4 units per acre. He stated that he felt the council approved the wrong Ordinance because a previous one allowed for a different number of units. This inconsistency could cause a problem in the future.

Mayor Hill responded that the current Ordinance is the one that would be enforced.

Attorney Chavez agreed saying that the passage of the current ordinance, repeals any and all previous ordinances.

8. CALL FOR PUBLIC HEARING.

A. Public Hearing to Adopt Proposed Ordinance No. 2015-03; An Ordinance Governing the Collection, Treatment, and Disposal of Wastewater Within the Town; Providing for Procedures and Policies for Obtaining Wastewater Service from the Town; Providing for the Authority of the Town and Providing for Fees and Penalties. Repealing Ordinance No. 2010-01 An Ordinance Providing for Connection to Wastewater Facilities of the Edgewood Sewer District; and Ordinance No. 2010-02. An Ordinance Governing the Wastewater and Sewage Disposal.

Mayor Hill stated the draft Ordinance has not been received yet and asked the Council to table this item until the next meeting.

MOTION: Councilor Simmons made the motion to table the Public Hearing for the Proposed Ordinance No. 2015-03. An Ordinance Governing the Collection, Treatment, and Disposal of Wastewater Within the Town; Providing for Procedures and Policies for Obtaining Wastewater Service from the Town; Providing for the Authority of the Town and Providing for Fees and Penalties. Repealing Ordinance No. 2010-01, An Ordinance Providing for Connection to Wastewater Facilities of the Edgewood Sewer District; and Ordinance No. 2010-02. An Ordinance Governing the Wastewater and Sewage Disposal, to the meeting of April 1, 2015. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Motion carried.

9. CALL FOR PUBLIC HEARING.

A. Zone Change: Markley Enterprises, LLC, requesting (S-U) Special Use or Multi Zoning of R-3 Residential/Institutional and M-U Mixed-Use for 3.6 acres located at 102 Quail Trail Road, Tract 1-A-1 Lands of Markley Enterprises, LLC, within Section 27 T10N R7E NMPM.

This item was removed from the agenda.

10. RESOLUTIONS.

A. Resolution No. 2015-04. A Budget Resolution with Adjustments to the 2014-15 Budget.

Steve Shepherd reviewed the Budget Resolution line items; explaining each of them.

MOTION: Councilor Ring made a motion to approve Resolution No. 2014-04. A Budget Resolution with adjustments to the 2014-2015 Budget. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Motion carried.

11. MATTERS FROM THE ADMINISTRATOR/PLANNER.

____ Initials

A. Schedule Budget Preparation Meetings for Fiscal Year 2015-2016.

Mayor Hill asked the Councilors if they would be available on Saturday, April 11, 2015 at 10:00 am for a Budget Workshop to which all Councilors agreed. He asked them to keep May 2, 2015 open for a second workshop day, if needed.

Steve Shepherd stated he met with First Choice people regarding the HERSA Grant. There are specific items needed to prepare for them. He added he will keep everyone informed and updated as this progresses.

12. APPROVAL OF THE FINANCIAL REPORT FOR THE MONTH OF FEBRUARY, 2015.

MOTION: Councilor Simmons made a motion to approve the Financial Report for the month of February, 2015. Councilor Abrams seconded the motion, with a comment on the amount the Town is spending on IT related activities.

Steve Shepherd replied that he would provide a financial analysis on the costs and challenges of adding an IT position.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Motion carried.

13. ANNOUNCEMENTS and/or CALENDAR REVIEW.

- A. Regular Council Meeting – April 1, 2015 @ 6:30 P.M.
- B. Regular Council Meeting – April 15, 2015 @ 6:30 P.M.
- C. New Mexico Municipal League District Meeting – April 8, 2015, Albuquerque, NM.

Councilor Ring, Councilor Simmons, Councilor Abraham and Mayor Hill confirmed that they will attend the New Mexico Municipal League District Meeting on April 8, 2015.

14. FUTURE AGENDA ITEMS.

- A. Continued Review of Wastewater Ordinances 2010-01 & 2010-02; Resolution No. 2015-02 for Schedule of Fees and review of Proposed Ordinance No. 2015-03.
- B. Public Hearing – Finalize Corrections-Amendments to the Official Zone Map at the Council Meeting of April 1, 2015.

Councilor Simmons stated she would like to see a discussion regarding the “2 Minute Rule for Public Comments” added to the next agenda.

15. CLOSED SESSION.

- A. As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1(H)(7) and 10-15-1(H)(2) the following will be discussed in Closed Session.
 - 1. Pending Litigation
 - 2. Limited Personnel Matters

MOTION: Councilor Ring made a motion to go into Closed Session, pursuant to NMSA 1978, 10-15-1(H)(7) and 10-15-1(H)(2) the following will be discussed : Pending Litigation and Limited Personnel Matters.

____ Initials

Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Motion carried.

MOTION: Councilor Abrams made a motion to go back to Open Session. Councilor Ring seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Motion carried.

Councilor Abrams affirmed only Pending Litigation and Limited Personnel Matters were discussed and no decisions were made.

Councilor Abraham affirmed only Pending Litigation and Limited Personnel Matters were discussed and no decisions were made.

Councilor Simmons affirmed only Pending Litigation and Limited Personnel Matters were discussed and no decisions were made.

Councilor Ring affirmed only Pending Litigation and Limited Personnel Matters were discussed and no decisions were made.

Mayor Hill affirmed only Pending Litigation and Limited Personnel Matters were discussed and no decisions were made.

16. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting of March 18, 2015. Councilor Ring seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Motion carried.

Mayor Hill adjourned the meeting at 8:15 p.m.

PASSED, APPROVED, and ADOPTED this 1st day of APRIL, 2015.

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer

MINUTES
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
MARCH 17, 2015 AT 6:00 PM
27 E. FRONTAGE ROAD, EDGEWOOD COMMUNITY CENTER

1) Call to order-Roll call.

Chairman Gabel called the meeting to order at 6:00 PM.

Commissioners Present: Brad Gabel, Leonard Navarre, Pat Markley, Kay McGill

Commissioners Absent: Dan Thompson

Staff Present: Stephen Shepherd, Robert White, Tracy Sweat

2) Approve Agenda.

Chairman Gabel asked if there were any changes; hearing none, he called for a motion to approve the Agenda.

Commissioner Navarre made a motion to approve the Agenda as presented; his motion was seconded by Commissioner McGill.

Action: Chairman Gabel voted aye. Commissioner Markley voted aye. Commissioner Navarre voted aye. Commissioner McGill voted aye. The motion carried.

3) Approval the Minutes of 3/3/2015

Chairman Gabel asked for one correction to the spelling of his name under item 6 and asked if there were any other corrections or changes; hearing none he called for a motion to approve the minutes with one correction.

Commissioner Markley made a motion to approve the Minutes of March 3, 2015, with the correction as noted; his motion was seconded by Commissioner McGill.

Action: Chairman Gabel voted aye. Commissioner Navarre voted aye. Commissioner Markley voted aye. Commissioner McGill voted aye. The motion carried.

4) Request for Zone Change

4.a Beehive Homes of Edgewood is requesting a Zone Change from R-3 Residential/Institutional to S-U Special Use for a Lot located at 102 Quail Trail, Tract 1-A-1 Lands of Markley Enterprises, LLC, Section 27 T10N R7E NMPM.

Chairman Gabel reviewed the role of the Commission in the Zone Change process stating their task was to review the application and forward a recommendation to the Council for a Public Hearing. The Commission will follow an abbreviated protocol during this regular meeting since this item will be heard as a Public Hearing at the Council level. He continued stating they would go through the process to recognize any ex-parte communication regarding the application or any conflicts of interest including any necessary recusals due to those conflicts.

Chairman Gabel polled the Commission for Ex-Parte Communication or Conflicts of Interest at this time.

Commissioner McGill stated she felt she should recuse herself as she was working as a consultant to the Town and did enter into discussions regarding the subject property but not the Zone Change specifically. She added she would leave it up to the Chairman and the Commission as to whether or not she should recuse herself.

Commissioner Markley recused himself as he is the owner of the property in question.

Commissioner Navarre indicated he did not have any ex-parte communications nor a conflict of interest.

Chairman Gabel indicated he did not have any conflicts of interest of ex-parte communication related to this case.

Chairman Gabel stated he did not feel it was his place to place to judge the recusal of Commissioner McGill but was inclined to agree with her position that it would be appropriate for her to recuse herself if only for appearances. He continued expressing his concern that only two members would be able to consider the case and asked how that affects the overall quorum requirement.

Mr. White responded the Commission is required to have a quorum in conduction their meetings and therefor they would be without a quorum for this item.

Chairman Gabel stated he was prepared to move forward with two recusals but in light of Commissioner Thompson absence felt it was necessary to table this item.

Commissioner Navarre stated that he agreed it should be tabled but wondered if he would ask a couple of questions.

Mr. White indicated he could.

Commissioner Navarre asked for clarification on the date listed on the application as February 29, 2015, stating there was not a February 29, this year. He also questioned the inconsistency between the Zoning requested on the application and the requests as it appears on the Agenda.

Ms. Sweat responded there had been conflicting notices posted as the application moved through the review process with the Attorney's but it was found that the original request as it appears on the application was appropriate.

Commissioner Navarre stated he had to operate with the paperwork in front of him and expressed concern that they had approved the Agenda with the request listed as S-U and not as it appears on the application and asked if this should be corrected on the next Agenda.

Mr. White responded the requested Zoning that appears in the published notices should be consistent with the Zoning to be considered at the hearing and asked for clarification from staff as to the requested Zoning.

Ms. Sweat responded the entire lot currently carries R-3 Zoning and the request is to create a multi-zoned lot in which the Southern portion would be changed to M-U.

Mr. White stated it should be listed consistent with the intended outcome of the zone change.

Chairman Gabel expressed concern regarding staff's strict interpretation of the R-3 permissive uses and felt this request may not be required.

Mr. White stated he would like to look at this with staff prior to the next meeting.

Commissioner Navarre made a motion to table this item to the meeting of March 31, 2015; his motion was seconded by Chairman Gabel.

Action: Chairman Gabel voted aye. Commissioner Navarre voted aye.

Mr. White stated technically this item is tabled until such time as a quorum is present and the minutes should indicate no action was taken due to lack of a quorum.

- 5) Public Comment. Limit to 2 minutes per person. Note: If you plan to speak under Public Hearings, please do not sign up for a specific topic.

Mr. John Bassett presented the Commission and staff with a handout regarding changes the Council had made to the Subdivision Ordinance and wanted the Commission to see them. He felt they had made a mistake in the way they put the language back together in the Minor Subdivision Section because it doesn't match what was voted on that night at the Council. He discussed the Santolina article he provided stating it was an interesting opinion piece about subdivisions. He added there were also changes made to the Zoning Ordinance in an effort to make it jive with the Planning Commission Ordinance but felt they had missed the mark and asked the Commission to see if it lines up. Mr. Bassett asked about the Hillcrest Minor Subdivision application he had seen in the paper stating this is a Master Plan and at the time it was approved there was not a process for minor subdivisions. He asked if the Commission had considered how a Minor Subdivision would work within a Master Plan.

Commissioner McGill asked if this was something the Commission would be hearing and they should not be listening or talking about it.

Chairman Gabel agreed they should refrain of speaking about specific applications.

6) Matters from the Chair and Commission Members.

Chairman Gabel discussed the upcoming training opportunities including the MRCOG workshop on May 22, 2015 and asked the Commission to let staff know if they planned to attend. He added they would be handling the Election of Officers at the next meeting. He then asked if the Commissioners had any matters to discuss; none were heard.

Discussion of Performance-Based Setback process and application.

Chairman Gabel listed some of the scenarios in which a Performance Based Setback request could come forward and the role of the Commission in relation to each. This brought to light the need for a process and an application document so they are handled consistently in each situation. He added that a Performance Based setback feels very much like a variance which deals with height, dimensions, and in our Ordinance it also includes setbacks. A Variance also requires a public hearing which includes public notification and posting as part of the process.

Commissioner McGill requested a definition of Performance because she does not feel they have the expertise to measure performance. She asked if this was something that would be approved by the Engineer or the Fire Department.

Chairman Gabel agreed they needed a better definition as the way the Ordinance is written is pretty vague. He added it does place the burden on the Planning & Zoning Commission but does not spell out a procedure.

Mr. White stated they were dealing with terms of art in Land Use and suggested the Town Engineer could lay out what performance based standards are for setbacks and describe some of the scenarios that would warrant a need for one.

Chairman Gabel agreed and added this would provide them with the information they needed to draft up a process and the associated application. He requested staff look into scheduling a presentation by the Town Engineer.

Mr. Shepherd asked if the Chairman had a timeline in mind.

Chairman Gabel suggested it be scheduled for May.

7) Matters from Staff.

Mr. Shepherd reviewed the handouts regarding Robert's Rules of Order, Meeting Conduct and the motion template draft. He invited Ms. Sweat to elaborate.

Ms. Sweat reviewed each of the documents in more detail stating the intent for the motion templates was to provide the Commission with a reference for use when it came time to make a motion.

Chairman Gabel added they could also look to the reference guide for information on Robert's Rules and making motions.

Ms. Sweat stated she had included two examples for making motions to deny an application. She also stressed the importance of including the full legal description as well as the pertinent information from the application because it becomes part of the record and presents a clear path for future tracking.

Chairman Gabel asked about the necessity of full legal descriptions being read into the record at the P & Z level when their role is strictly to review and make a recommendation.

Ms. Sweat responded that there have been instances when the Council made approvals of the recommendations from the P & Z with a simple statement and felt it was important to include the full legal description at the P & Z level. She added it should be done at both levels, but would prefer it begin at P & Z.

Commissioner McGill requested staff draft up a motion cheat sheet to accompany the application documents and to include the full legal description as it should be stated.

Chairman Gabel added the correct and complete legal description should appear in the staff report and therefore they would not require anything additional, so long as it is complete on the report.

Ms. Sweat discussed the NMLZO training that is coming up in Albuquerque, May 7, 2015 and asked the Commission to let her know if they plan to attend.

Mr. White indicated it was good training.

Commissioner Navarre stated he would not be able to attend the first P & Z Meeting in May but would be available for the training in May 7, 2015.

8) Calendar Update.

Chairman Gabel stated he had requested scheduling next meeting a week early and it was now scheduled for March 31, 2015 and asked if that would work. He added he would like to undertake the Election of Officers and also pick up the tabled item from tonight.

Ms. Sweat indicated they should discuss meeting dates for April so she may begin notification on upcoming applications.

The Commission entered into discussions regarding the schedule for April and agreed to meet on April 7, and April 14, 2015.

9) Adjourn.

Commissioner Navarre made a motion to adjourn; his motion was seconded by Commissioner Markley.

Action: Chairman Gabel voted aye. Commissioner Navarre voted aye. Commissioner Markley voted aye. Commissioner McGill voted aye. The motion carried.

Chairman Gabel adjourned the meeting at 6:45 P.M.

Brad Gabel, Chairman

ATTEST:

Leonard Navarre, Secretary P & Z

PUBLIC HEARING

Item #8

A. Amendment/Corrections to the Town of Edgewood Official Zone Map.

The spreadsheet and map are 11x17 and will be available at the Town Hall and will be available at the Council meeting.

RESOLUTION NO. 2015-05

A RESOLUTION TO APPLY FOR FUNDING FROM THE NEW MEXICO WATER TRUST BOARD FOR A WATER CONSERVATION PROJECT

- WHEREAS,** *The Town of Edgewood, New Mexico is a municipal corporation, and acting by its Town Council, is in support of seeking funding assistance, in full or in part, for a water conservation project (re-use) and;*
- WHEREAS,** *The Water Trust Board is soliciting applications for the Water Project Fund for the 2015 funding cycle and;*
- WHEREAS,** *The Town Council finds there is a significant need to provide water conservation (re-use) methods to the community and;*
- WHEREAS,** *The Water Trust Board requests, as part of the application procedure, passage and submittal of a local government resolution of support for the project.*
- WHEREAS,** *The Town Council is committed to the operation and maintenance of the project and;*

NOW THEREFORE, BE IT RESOLVED THAT, *the Town of Edgewood supports the preparation and submittal of an application in accordance with the procedures established by the Water Trust Board*

PASSED, APPROVED, and ADOPTED this 1st day of April, 2015.

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC,
Clerk-Treasurer

RESOLUTION NO. 2015-06

A RESOLUTION TO COMMIT TO THE IMPLEMENTATION OF AN ASSET MANAGEMENT PLAN

WHEREAS, *The Water Trust Board is soliciting applications for the Water Project Fund (wastewater re-use) for the 2015 funding cycle and as part of that process, is required to implement an asset management plan within three years;*

WHEREAS, *The Town of Edgewood, New Mexico is a municipal corporation, and acting by its Town Council, is in support of committing to the implementation of an asset management plan within three years that addresses at a minimum of the five core components: current state of assets, desired level of service, critical assets, life cycle costing and long term funding;*

NOW THEREFORE, BE IT RESOLVED THAT, *the Town of Edgewood supports the preparation of an asset management plan in accordance with the procedures established by the Water Trust Board.*

PASSED, APPROVED, and ADOPTED this 1st day of April, 2015.

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer